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FACTOR 5, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
(OAKLAND DIVISION)

JESSE HELTON; ALISHA PICCIRILLO;  
CHAD LOWE; individually and on behalf of  
all others similarly situated

Plaintiffs,

vs.

FACTOR 5, INC.; FACTOR 5, LLC;  
BLUHARVEST, LLC; WHITEHARVEST  
LLC; JULIAN EGGBRECHT; HOLGER  
SCHMIDT; THOMAS ENGLE; and DOES  
1-100

Defendants.

Case No. C10-04927 SBA

**ORDER GRANTING NIXON PEABODY'S  
MOTION TO WITHDRAW AS COUNSEL FOR  
DEFENDANT FACTOR 5, INC.**

Date: February 1, 2011  
Time: 1:00 p.m.  
Judge: Hon. Sandra Brown Armstrong  
Dept.: Courtroom 1

The motion of Nixon Peabody LLP, by and through attorney Deborah Schwartz, to withdraw as counsel for defendant Factor 5, Inc. (erroneously sued as Factor 5, LLC and Factor 5, Inc.) (hereinafter "Factor 5") in the above-captioned matter came on regularly for hearing on February 1, 2011, at 1:00 p.m., the Honorable Sandra Brown Armstrong presiding.

Having considered the papers submitted by counsel, and good cause appearing, the Court hereby ORDERS that the motion is GRANTED.

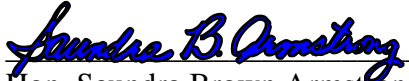
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1 It is ORDERED that Nixon Peabody LLP may withdraw from the representation of Plaintiff  
2 Factor 5 and the Clerk of the Court shall enter the withdrawal of Nixon Peabody as counsel for Factor  
3 5 in the record.

4 IT IS SO ORDERED.

5 DATED: 1/25/11

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7 Hon. Saundra Brown Armstrong  
8 United States District Court Judge  
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